vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6292 OF 2005

M/s.Parekh & Sons & Ors. ... Petitioners

V/s.

M/s.Byramjee Jeejibhoy Pvt. Ltd. & Ors. ... Respondents

Mr.Virag Tulzapurkar with Ms.Soumya Srikrishna and Mr.P.G. Mankad i/b P.D. Kadam for Petitioners

Mr.Y.S. Jahagirdar i/b Ms.Nisha Valani for Respondent No.1

Mr.Sanjay Jain with Mr.Vijay Thorat for Respondent No.2

Mr.A.A. Kumbhakoni i/b Mr.Prakash Shinde for Respondent No.3

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **SEPTEMBER 27, 2005**

P.C.:

. The Petitioners challenge the order dated 9.8.2005 refusing to extend the order of status quo granted when the appeal was admitted. A grievance is made that by refusing to extend the order, the appeal itself would be jeopardised.

2. Mr.Tulzapurkar appearing for the Petitioners, states that the Petitioners do not want to challenge the order rejecting their rejoinder at this stage. He submits that the Petitioners are prepared to have the appeal heard on a day to day basis and till then status

quo should be maintained.

3. Heard advocates. In my view, since the appeal is now adjourned to 4.10.2005, it should be disposed off within a month from today. The order of status quo shall be maintained during the pendency of the appeal. The statement made by Mr.Tulzapurkar that the Petitioners do not wish to challenge the order dated 9.8.2005 rejecting their application for filing their rejoinder is accepted.

4. Petition disposed off in the above terms.